

STATE OF MARYLAND

\*

NO. C-10-CR-23-000516

v.

\*

IN THE CIRCUIT COURT FOR

RUBEN ALONSO HERNANDEZ-LAINEZ\*

FREDERICK COUNTY, MD

CM

\* \* \* \* \*

**STATE'S ANSWER TO DEFENDANT'S MOTIONS**  
**PURSUANT TO MARYLAND RULES 4-252**

The State of Maryland, by Tammy M. Leache, Assistant State's Attorney for Frederick County, Maryland in answer to the Defendant's Motions Pursuant to Maryland Rule 4-252 responds as follows:

1. That the State denies each and every allegation contained in Defendant's Motions.

WHEREFORE, the State respectfully requests that the Defendant's Motions be denied.

Tammy M. Leache /s/

TAMMY M. LEACHE

ASSISTANT STATE'S ATTORNEY

CPF No. 0006210242

100 West Patrick Street

Frederick, Maryland 21701

Phone: 301-600-1523

Fax: 301-600-2195

[FrederickSAOCircuit@FrederickCountyMD.gov](mailto:FrederickSAOCircuit@FrederickCountyMD.gov)

## **STATEMENT OF POINTS AND AUTHORITIES**

United States Constitution

Maryland Declaration of Rights

Art. 21, Right of Accused

Art. 22, Self-Incrimination

Art. 26, Warrants for Search and Seizure

Maryland Rule 4-252

Brady v. Maryland, 373 U.S. 83 (1966)

Brown v. Illinois, 422 U.S. 590 (1975)

Ferris v. State, 355 Md. 356 (1999)

Manson v. Brathwaite, 432 U.S. 98 (1977)

Miranda v. Arizona, 384 U.S. 436 (1966)

Neil v. Biggers, 409 U.S. 188 (1972)

Schneekloth v. Bustamonte, 412 U.S. 218 (1973)

Simmons v. United States, 390 U.S. (1969)

Wong Sun v. United States, 371 U.S. 471 (1963)

Annotated Code of Maryland, Maryland Rules

Rule 4-201, Charging Document – Use

Rule 4-202, Charging Document – Content

Rule 4-203, Charging Document – Joinder of Offenses and Defendants

Rule 4-204, Charging Document – Amendment

Rule 4-211, Filing of Charging Document

Annotated Code of Maryland, Criminal Law

Annotated Code of Maryland, Criminal Procedure

§ 1-203, Search warrants

§ 2-103, Authority of police officers - Service of arrest warrants

§ 2-202, Warrantless Arrests – in general

§ 2-401, Custodial interrogation defined

§ 2-403, Exemption from Maryland Wiretapping and Electronic Surveillance Act

Title 4, Pretrial Procedures

Annotated Code of Maryland, Courts and Judicial Proceedings

Title 6, Person Jurisdiction, Venue, Process and Practice

Title 10, Wiretapping and Electronic Surveillance

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12<sup>th</sup> day of July, 2023, a copy of the foregoing State's Answer to Defendant's Motions was sent via MDEC and/or Sharefile/Citrix, a secure file sharing service, to the designated e-mail address and/or service contact for Rachel Reyes, Esquire, Attorney for the Defendant herein.

Tammy M. Leache /s/  
TAMMY M. LEACHE  
ASSISTANT STATE'S ATTORNEY